

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRED E. HARTER,

Petitioner,

vs.

DEBRA SCUTT,

Respondent.

Civil Action No.
08-CV-11370

HON. BERNARD A. FRIEDMAN

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

In a report and recommendation ("R&R") dated July 21, 2009, Magistrate Judge Komives recommends that the petition in this matter be denied. Petitioner has not objected to the R&R and the time for him to do so has expired.¹ The court has reviewed the R&R and agrees with the magistrate judge's analysis of all of the issues raised in the petition, as well as his recommended disposition of respondent's motion to dismiss. Accordingly,

IT IS ORDERED that Magistrate Judge Komives' R&R is hereby accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that the petition in this matter is denied.

¹ At petitioner's request, the court extended the objection period to August 21, 2009. *See* docket entry 16.

IT IS FURTHER ORDERED that respondent's motion to dismiss [docket entry 7] is denied as moot.

S/Bernard A. Friedman
Bernard A. Friedman
United States District Judge

Dated: August 24, 2009

I hereby certify that a copy of the foregoing document was served upon Fred E. Harter and counsel of record on August 24, 2009, by electronic and/or ordinary mail.

S/Carol Mullins
Case Manager